

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

STEVEN GUTTADAURO,
Plaintiff

vs.

OLIPHANT FINANCIAL, LLC,
Defendant

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CIVIL ACTION NO. 4:10-cv-04613

NOTICE OF DISMISSAL PURSUANT TO SETTLEMENT

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NOTICE IS HEREBY GIVEN that Plaintiff has filed with the Clerk of the District Court, Southern District of Texas, Plaintiff's Notice of Dismissal of Case With Prejudice, a copy of which is herewith served upon Defendant.

Respectfully submitted,

By: /s/Dennis R. Kurz
Dennis R. Kurz
Texas State Bar # 24068183
Attorney in Charge for Plaintiffs

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CERTIFICATE OF SERVICE

I certify that on January 5, 2011, I electronically filed the foregoing document with the clerk of the U.S. District Court, Southern District of Texas, Houston Division using the electronic case filing system of the court.

/s/ Dennis R. Kurz
Dennis R. Kurz